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MISSISSIPPI
SECRETARY OF STATE

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

Mississippi Department of Environmental Quality
c/o Tony Caldwell
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Jackson MS 329289-0385
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Specific Legal Authority authorizing the promulgation of Rule:
Miss. Code Ann. § 49-2-9(1), 49-17-17, and 49-17-85(2003)

Reference to Rules replaced, amended or suspended by the Proposed Rule: FY-09 WPCRLF Intended Use Plan

Explanation of the purpose of the Proposed Rule and the reason(s) for the proposing the rule: The Draft FY-09 Water Pollution Control Revolving Loan Fund Intended Use Plan Amendment No. 1, which incorporates provisions of the American Recovery and Reinvestment Act of 2009 (ARRA) into the WPCRLF. 1) This amendment adds "Part 2" which contains details regarding the utilization of additional EPA Title VI Cap Grant funding made available through ARRA. 2) This amendment adds additional projects to the IUP, located in the ARRA Project List beginning on page 38 which have requested consideration for funding with the available ARRA funds. 3) Makes revisions to various details throughout "Part 1" and Appendix A as required to accommodate the ARRA funding utilization outlined in "Part 2".

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxes as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agency or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below.

☒ An oral proceeding is scheduled on this rule on Thursday, May 14, 2009, at 1:00 p.m. in the offices of the Department of Environmental Quality located at 515 East Amite Street in Jackson, Mississippi.

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address and telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: April 9, 2009 **Proposed Effective Date of Rule:** June 28, 2009

Ted Lampton, Senior Attorney, MDEQ
Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 001
Effective Date 01/07/2005